

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 11, 2017

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(The Bank of New York Mellon VS Debtor)

Docket 390

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, April 11, 2017

Hearing Room 1675

10:30 AM

2:16-17172 Hidalgo Accommodations, Inc

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(Toyota Lease Trust VS Debtor)

Docket 121

***** VACATED *** REASON: Settled by stipulated per order entered on
3/28/17-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hidalgo Accommodations, Inc

Represented By
Mufthiha Sabaratnam

Movant(s):

TOYOTA LEASE TRUST

Represented By
Mark D Estle

**United States Bankruptcy Court
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Tuesday, April 11, 2017

Hearing Room 1675

10:30 AM

2:16-25078 Renae Pearl Jones

Chapter 7

#3.00 Cont'd hearing re: Motion for relief from stay
(Seterus, Inc. VS Debtor)
fr. 4/4/17

Docket 16

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Renae Pearl Jones

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, April 11, 2017

Hearing Room 1675

10:30 AM

2:17-12729 Nicholas Michael Marco

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Robert L. Alexander VS Debtor)

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicholas Michael Marco

Pro Se

Movant(s):

Robert L. Alexander

Represented By
Barry L O'Connor

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, April 11, 2017

Hearing Room 1675

1:30 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:14-01502 Rund, Chapter 7 Trustee v. Microland Electronics Corporation, a California

#5.00 Cont'd status conference re: Complaint to: 1. Avoid Preferential Transfers; 2. Avoid Fraudulent Transfers; 3. Recover Preferential and Fraudulent Transfers; 4. Aiding and Abetting Breach of Fiduciary Duty; 5. Intentional Interference with Prospective Economic Advantage; and 6. Negligent Interference with Prospective Economic Advantage [11 U.S.C. §§544, 547, 548(a)(1)(A) and (B), 550(a)(1) and (2) and California Civil Code §3439, et seq.]
fr. 9/20/16, 9/16/16, 3/21/17

Docket 1

Courtroom Deputy:

[Cont'd from 3/21/17 to 4/11/17 at 1:30 p.m. by stip & order entered on 1/18/17]

Tentative Ruling:

Set discovery completion date of 9/30/15 and set a post-discovery status conference for 10/27/15 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 3/31/15 and to complete mediation by 10/27/15. Appearances are required on 2/3/15, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Microland Electronics Corporation,

Pro Se

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Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc

Chapter 7

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

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Hearing Room 1675

1:30 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:15-01563 Rund, Chapter 7 Trustee v. Lee, an individual et al

#6.00 Cont'd status conference re: Complaint for: (1) malpractice; (2) aiding and abetting breach of fiduciary duty; and (3) breach of fiduciary duty fr. 7/26/16, 12/6/16, 1/10/17

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 1/9/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/10/17 to discuss scheduling of further proceedings, but counsel may appear by telephone

Prior tentative ruling as of 12/5/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/6/16 to discuss scheduling of further proceedings, including filing of supplemental pleadings, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. The court has reviewed the joint status report, noting the hearings on the pending motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m., and continues the status conference to the date and time of the hearings on the motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m. No appearances are required on 7/19/16

Prior tentative ruling as of 4/11/16. No tentative ruling on the merits. Appearances are required on 4/12/16.

Prior tentative ruling as of 4/4/16 at 5:30 p.m. Off calendar. Continued on the

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1:30 PM

CONT... Amergence Technology Inc

Chapter 7

court's own motion to 4/12/16 at 2:30 p.m. since the hearing on the motion to dismiss is continued to that date and time. No appearances are required on 4/5/16.

Prior tentative ruling as of 3/7/16. ff calendar. Continued by separate order on the court's own motion for further briefing to 4/5/16 at 3:00 p.m. No appearances are required on 3/8/16.

Prior tentative ruling. In light of defendants' pending motion to dismiss or for more definite statement noticed for hearing on 3/8/16 at 3:00 p.m., the court continues the status conference to that date and time on its own motion since the determination of that motion may affect the status of the adversary proceeding. No appearances are required on 2/9/16.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

DOES 1 through 10

Pro Se

Business Legal Partners Attorneys

Pro Se

Albert Lee, an individual

Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber

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CONT... Amergence Technology Inc

Michael W Davis

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

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1:30 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:15-01563 Rund, Chapter 7 Trustee v. Lee, an individual et al

#7.00 Status conference re: Crossclaim by crossclaimants Albert Lee and Business Legal Partners for: 1. Equitable indemnity; 2. Equitable contribution; 3. Declaratory relief

Docket 97

Courtroom Deputy:

[Note: Notice of voluntary dismissal of cross-claim that does not involve claims under 11 U.S.C. §727, filed on 3/9/17]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

DOES 1 through 10

Pro Se

Levene, Neale, Bender, Yoo & Brill

Represented By
William K Mills

Albert Lee, an individual

Represented By
Russell W Clampitt
Bradley W Jacks

Business Legal Partners Attorneys

Represented By
Russell W Clampitt
Bradley W Jacks

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By

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CONT... Amergence Technology Inc

Chapter 7

Corey R Weber
Michael W Davis

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

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Hearing Room 1675

1:30 PM

2:17-11001 Rainer Ernst Soehnlein

Chapter 11

Adv#: 2:17-01142 Soehnlein v. Levin

#8.00 Status conference re: Complaint for temporary injunction and a preliminary injunction restraining John Levin from conducting foreclosure sale of debtors personal residence pending close of sale

Docket 1

***** VACATED *** REASON: Notice of dismissal filed on 3/10/17-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rainer Ernst Soehnlein

Represented By
Steven R Fox

Defendant(s):

John Levin

Pro Se

Plaintiff(s):

Rainer Ernst Soehnlein

Represented By
Steven R Fox

**United States Bankruptcy Court
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Hearing Room 1675

2:00 PM

2:12-15652 Dale Alfred Williams

Chapter 11

#9.00 Cont'd pretrial conference re: Debtor's objection to claim of Internal Revenue Service [Claim no. 11-3] and motion of debtor for an order determining certain tax liability of the estate pursuant to section 505(a) of the bankruptcy code fr. 12/13/16, 2/14/17, 2/21/17

Docket 695

Courtroom Deputy:

[Note: Two day trial on the matter set on 6/1/17 to 6/2/17 at 9:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 2/17/17. The joint pretrial stipulation is noncompliant with Local Bankruptcy Rule 7016-1 because the parties have not exchanged all of their exhibits and have not stated any objections to exhibits as required by the form joint pretrial stipulation in the local rule. The joint pretrial stipulation will have to be amended to comply with the local rule. The parties have suggested that the trial be bifurcated into two phases, and the court will discuss with the parties that possibility and how bifurcation would work logistically. Appearances are required on 2/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. Off calendar. Because the parties did not serve a judge's copy of the joint pretrial stipulation on the presiding judge as required by LBR 5005-2(d), the court continues the pretrial conference on its own motion to 2/21/17 at 2:00 p.m. No appearances are required on 2/14/17.

Prior tentative ruling as of 9/15/14. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/16/14, but counsel may appear by telephone.

Updated tentative ruling as of 1/27/14 at 4:00 p.m. Treat as a contested matter under FRBP 9014. Appearances are required on 1/28/14 to discuss scheduling of pretrial proceedings, including discovery, and trial, but counsel may appear by telephone.

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CONT...

Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 1/27/14. Treat as a contested matter under FRBP 9014. Appearances are required on 1/28/14 to discuss scheduling of pretrial proceedings, including discovery, and trial.

Prior tentative ruling. The court on its own motion continues the hearing to 1/21/14 at 2:30 p.m. due to the Judge's unforeseen unavailability. No appearances are required on 1/7/14.

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman
Robert E Opera

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Tuesday, April 11, 2017

Hearing Room 1675

2:00 PM

2:12-47099 Adrian J Hernandez

Chapter 7

Adv#: 2:15-01580 Farias et al v. Hernandez

#10.00 Post-trial status conference: Complaint for non-dischargeability of debt under §523(a) for: (1) False pretenses, false representation and fraud [§523(a)(2); (2) Fraud or defalcation while acting in a fiduciary capacity [§523(a)(4)]; and (3) Willful and malicious injury [§523(a)(6)] fr. 10/2/16, 10/5/16, 11/17/16

Docket 1

Courtroom Deputy:

[Telephonic]

Tentative Ruling:

Updated tentative ruling as of 11/15/16. No tentative ruling will be issued for trial. Appearances are required on 11/17/16.

Revised tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/14/16 to discuss scheduling of the pretrial conference and trial, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 5/31/16 and a post-discovery status conference for 6/14/16 at 2:00 p.m. The court orders this matter to mediation, the parties are to file a request for selection of a mediator and an alternate mediation by 2/12/16 and complete mediation by 6/14/16. Appearances are required on 1/12/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Adrian J Hernandez

Represented By
Eric Bensamochan

Defendant(s):

Adrian Hernandez

Pro Se

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2:00 PM

CONT... Adrian J Hernandez

Chapter 7

Plaintiff(s):

Myrna Farias

Represented By
Michael Jay Berger

Jaime Farias

Represented By
Michael Jay Berger

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

Edward M Wolkowitz (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, April 11, 2017

Hearing Room 1675

2:00 PM

2:14-26989 Omion Demond Bell

Chapter 7

Adv#: 2:14-01578 Bell v. Acs/Wells Fargo et al

#11.00 Pretrial conference re: Complaint for dischargeability of debt
fr. 6/21/16, 8/16/16, 10/18/16

Docket 53

***** VACATED *** REASON: Dismissed per stip & order entered on
2/15/17-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 10/17/16. The court has reviewed the unilateral status report of the U.S. Department of Education. No tentative ruling on the merits. Appearances are required on 10/18/16, but counsel and self-represented plaintiff may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 8/15/16. No tentative ruling on the merits. Appearances are required on 8/16/16, but counsel and self-represented plaintiff may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 8/15/16. No tentative ruling on the merits. There are continuing problems with service as shown by the proofs of service filed on August 8, 2016 because: (1) the plaintiff does not use the correct proof of service attached to the summons itself for service of the summons and complaint; (2) the service addresses for defendants are incorrect, including the U.S. Department of Education; (3) the proofs of service do not list the complaint as a document served on defendants; (4) the copy of the complaint attached to the proofs of service do not have any case identification number to give notice to defendants to respond to the complaint because the cover page of the complaint is missing from the copy. At the status conference, the parties should be prepared to discuss whether the unserved defendants need to be in the case, such as Wells Fargo, Nelnet and U.S. Department of Education. Part of the problem is that the complaint is poorly drafted in that it

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Hearing Room 1675

2:00 PM

CONT...

Omion Demond Bell

Chapter 7

does not described which student loans that plaintiff is seeking a determination of dischargeability. ECMC and TGSLC identify in their papers filed in this case the loans which they are now the owners, and it may be that these are the only loans that need to be involved in this case. Given the continuing problems with plaintiff's service of defendants, the court is considering appointing a pro bono public interest firm, such as Public Counsel, to assist him in properly serving defendants which have not yet appeared, if such service is necessary because plaintiff is self-represented, appears to be indigent and needs assistance in serving all of the defendants. Appearances are required on 8/16/16, but counsel and self-represented plaintiff may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits. Appearances are required on 4/19/16, but counsel and self-represented plaintiff may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling. The court has reviewed defendant ECMC's unilateral status report. No tentative ruling on the merits. Appearances are required on 4/19/16, but counsel and self-represented plaintiff may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Omion Demond Bell	Pro Se
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Defendant(s):

Keller Graduate School of	Pro Se
Educational Credit Management	Represented By Scott A Schiff
Texas Guaranteed Student Loan	Represented By Scott A Schiff
Acs/Wells Fargo	Pro Se

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2:00 PM

CONT... Omion Demond Bell

Chapter 7

Nelnet

Pro Se

United States Department Of

Represented By
Elan S Levey

Interested Party(s):

Interested Party

Represented By
Scott A Schiff

Plaintiff(s):

Omion Demond Bell

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

Wesley H Avery (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

2:13-34045 Debra Carol Moore

Chapter 7

#12.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy Yoo, Chapter 7 Trustee]

Docket 51

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debra Carol Moore

Represented By
Robert M Aronson

Trustee(s):

Timothy Yoo (TR)

Represented By
Sandra McBeth
Jeffrey L Sumpter

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Hearing Room 1675

2:30 PM

2:13-34045 Debra Carol Moore

Chapter 7

#13.00 Hearing re: Application for fees and expenses
[Sandra K. McBeth, Attorney for Chapter 7 Trustee]

Docket 49

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debra Carol Moore

Represented By
Robert M Aronson

Trustee(s):

Timothy Yoo (TR)

Represented By
Sandra McBeth
Jeffrey L Sumpter

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Hearing Room 1675

2:30 PM

2:16-23231 Diva Olaveja Salano

Chapter 7

#14.00 Hearing re: Motion to avoid lien under 11 U.S.C. § 522(f) (real property) with
EnerBank USA

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Diva Olaveja Salano

Represented By
Navid Kohan

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#15.00 Hearing re: Trustee's application for an order to employ Thomas A. Fasel and Sherri S. Shafizadeh as co-special litigation counsel

Docket 15

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

2:16-27044 Uziel Haimoff and Karla Haimoff

Chapter 7

#16.00 Hearing re: Motion to withdraw as counsel of record

Docket 27

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Uziel Haimoff

Represented By
Michael R Totaro
Kathleen P March

Joint Debtor(s):

Karla Haimoff

Represented By
Michael R Totaro
Kathleen P March

Trustee(s):

Peter J Mastan (TR)

Pro Se

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2:30 PM

2:16-27044 Uziel Haimoff and Karla Haimoff

Chapter 7

#17.00 Hearing re: Motion of MSC1 2007-IQ16 Granville Retail, LLC for order extending the deadline to object to discharge and/or dischargeability of debt

Docket 29

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Uziel Haimoff

Represented By
Michael R Totaro
Kathleen P March

Joint Debtor(s):

Karla Haimoff

Represented By
Michael R Totaro
Kathleen P March

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, April 11, 2017

Hearing Room 1675

2:30 PM

2:17-10233 Alfred Hutchings Jr

Chapter 7

#18.00 Hearing re: Debtor's motion to convert case under 11 U.S.C. §§706(a) or 1112(a)

Docket 24

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfred Hutchings Jr

Represented By
Matthew D Resnik

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Zev Shechtman
Sonia Singh

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Tuesday, April 11, 2017

Hearing Room 1675

3:00 PM

2:14-21532 TIFKAH

Chapter 7

Adv#: 2:16-01266 MENCHACA v. KOCH, an individual et al

#19.00 Cont'd hearing re: Motion to dismiss first amended complaint against defendant David H. Koch pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure fr. 2/21/17

Docket 58

Courtroom Deputy:

[Cont'd from 2/21/17 to 4/11/17 at 3:00 p.m. per stip & order entered on 2/7/17]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Defendant(s):

Rick Caruso

Represented By
Eric D Winston
Robert J Becher

TINA CARUSO, an individual

Represented By
Eric D Winston
Robert J Becher

DAVID H. KOCH, an individual

Represented By
Jeffery D Hermann
Jonathan Guy

Plaintiff(s):

JOHN J MENCHACA

Represented By
Philip D Dracht

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3:00 PM

CONT... TIFKAH

Chapter 7

Trustee(s):

John J Menchaca (TR)

Represented By
Uzzi O Raanan ESQ
Steven J Schwartz
Walter K Oetzell

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Hearing Room 1675

3:00 PM

2:14-21532 TIFKAH

Chapter 7

Adv#: 2:16-01266 MENCHACA v. KOCH, an individual et al

#20.00 Cont'd status conference re: Trustee's complaint for breach of contract
fr. TD, 2/21/17, 3/7/17

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Defendant(s):

Rick Caruso

Represented By
Eric D Winston
Robert J Becher

TINA CARUSO, an individual

Represented By
Eric D Winston
Robert J Becher

DAVID H. KOCH, an individual

Represented By
Jeffery D Hermann
Jonathan Guy

Plaintiff(s):

JOHN J MENCHACA

Represented By
Philip D Dracht

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CONT... TIFKAH

Chapter 7

Trustee(s):

John J Menchaca (TR)

Represented By

Uzzi O Raanan ESQ

Steven J Schwartz

Walter K Oetzell

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Tuesday, April 11, 2017

Hearing Room 1675

3:30 PM

2:12-50300 Edmund G Castillo and Ethel C Castillo

Chapter 7

#21.00 Hearing re: Motion for summary judgment, or alternatively, for partial summary judgment

Docket 65

Courtroom Deputy:

[Note: Two trials set on 4/27/17 at 9:00 a.m.]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edmund G Castillo	Pro Se
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Joint Debtor(s):

Ethel C Castillo	Pro Se
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Trustee(s):

Peter J Mastan (TR)	Pro Se
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